

REMARKS

In response to the objection, the typographical error in claim 37 has been corrected.

Review and reconsideration on the merits are requested.

Claims 8 and 51-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bekiarian et al (U.S. 2004/0167289), Doyle et al (U.S. 6,140,436), Odian (*Principles of Polymerization*) and Kaulbach et al (U.S. 2004/0072977).

Claims 9, 10 and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bekiarian et al, Doyle et al and Odian in view of Grot (U.S. 4,433,082).

Claims 37 and 57-59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bekiarian et al in view of Doyle et al.

Applicants traverse, and respectfully request the Examiner to reconsider for the following reasons.

In paragraph 11 in the Response to Arguments, the Examiner states that “Applicants argue that emulsion polymerization does not produce spherical fluoropolymer particles.”

That is incorrect.

Applicants argued that emulsion polymerization of monomer with acid/acid salt groups does not produce spherical fluoropolymer particles. Thus, Applicants’ previous remarks at page 4, lines 18-22 of the Response Under 37 C.F.R. § 1.114(c) filed August 21, 2009 are appropriate.

Applicants do not disagree with the other descriptions in paragraph 11 of the Office Action. However, Applicants maintain that the combination of prior art does not produce a dispersion containing a spherical particle of polymer with acid/acid salt groups.

Applicants incorporate herein by reference the Remarks portion of the Response Under 37 C.F.R. § 1.114(c) filed August 21, 2009. Applicants further comment in reply to the outstanding Office Action as follows.

Bekiarian et al does not teach spherical particles of polymer with acid/acid salt groups. Bekiarian et al discloses a milky-white polymer emulsion and white granular polymer with $\text{-SO}_2\text{F}$. ([0048]). However, Bekiarian et al does not disclose an acid/salt group-containing polymer dispersed in a medium to form a liquid dispersion, as noted by the Examiner at page 4 of the Office Action. In addition, Bekiarian et al does not disclose that the fluoropolymer dispersion is produced without drying the fluoropolymer precursor and fluoropolymer, as noted by the Examiner at page 7.

Thus, Bekiarian does not teach spherical polymer particles with acid/acid salt groups.

The Examiner also states, “Doyle discloses that the reference discloses that the sulfonyl fluoride copolymer resin can be hydrolyzed by suspension in a hydrolyzing medium (col. 4, lines 64-66)”. (Paragraphs 12 and 14).

However, Doyle et al does not disclose “without drying”.

When a hydrolysis medium is added to a dispersion containing a polymer resin, the resultant is called dispersion. That is the present invention. In this case, a skilled person uses “suspension.”

In contrast, when a hydrolysis medium is added to a suspension solution containing a polymer resin, the resultant is called suspension, not dispersion. That is the invention of Doyle et al.

As discussed in the previous Response filed August 21, 2009, the suspension solution is obtained by suspension polymerization. The particle forms differ between dispersion particles and suspension particles.

When a hydrolysis medium is added to a resin dry powder, the resultant is called a slurry or suspension, not a dispersion.

Further, Doyle et al discloses, “followed by optional addition of cosolvent, and filtration or centrifugation of the resulting mixture.” (Col. 4, line 64-col. 5, line 1.)

Since filtration or centrifugation can be applied to relatively large particles, it is clear that Doyle et al does not mention dispersion particles that are small so that they can be dispersed in aqueous medium.

Also, although Bekiarian discloses “suspend”, Bekiarian et al does not disclose “without drying”.

For the above reasons, it is respectfully submitted that the present claims are patentable over the cited prior art, and withdrawal of the foregoing rejection is respectfully requested.

Withdrawal of all rejections and allowance of claims 8-10, 37, 38 and 51-59 is earnestly solicited.


In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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